

Cooper, Jamal

From: Gordon, Lisa Perras
Sent: Friday, June 2, 2017 4:04 PM
To: Cooper, Jamal; Wetherington, Michele
Subject: FW: SCDNR comments on surface water permitting bill
Attachments: SCDNR position on Surface Water bill 3-15-2010.docx; SCDNR comments on DHEC Surface Water Regulations.docx; DHEC Attachment I Response 2 commentors.doc

Jamal, Michele,

A few weeks back, I asked Gerrit if he had more information on the source of the SCDNR comments submitted with the petition. He followed up today, sending me the following email. I think it helps to know who to attribute those comments to and to have someone to follow-up with if need be in the future, so looks like Andrew is our guy.

No word yet from Mary on if she was able to chat with SC at the Commissioner's meeting this week. Hopefully we'll get the go-ahead to begin talking to the state soon.

Lisa

From: Gerrit Jobsis [mailto:gjobsis@americanrivers.org]
Sent: Friday, June 02, 2017 11:56 AM
To: Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>
Subject: FW: SCDNR comments on surface water permitting bill

Lisa,

Please find attached and below information transmitted by the SC Department of Natural Resources regarding the agency's comments on the state surface water law and regulations. I requested this information from Ken Rentiers, Deputy Director of the Land, Water and Conservation Division who can be contacted at 803.734.9035 and RentiersK@dnr.sc.gov.

Best regards,

Gerrit

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From: Andy Wachob [mailto:WachobA@dnr.sc.gov]
Sent: Thursday, June 01, 2017 2:37 PM

To: Gerrit Jobsis
Cc: Ken Rentiers; Scott Harder
Subject: SCDNR comments on surface water permitting bill

Gerrit,

Ken Rentiers asked me to forward to you the comments that SCDNR prepared regarding the Surface Water Withdrawal, Permitting, Use and Reporting bill that was passed in 2010.

Attached is the SCDNR's "position statement" on the final surface water permitting bill that was approved by the Legislature. This document was prepared by SCDNR to indicate our dissatisfaction with certain elements of the new legislation, particularly how "minimum instream flow" was defined in the bill. SCDNR also made numerous comments and recommendations based on earlier versions of the surface water permitting bill, many of which were not included in our final "formal" position statement. Some of those concerns were addressed in revisions of the bill, but some (such as exempting agricultural use from the permitting requirements) were not.

Also attached is a copy of SCDNR's comments submitted to DHEC regarding the regulations that were developed after the bill was enacted, as well as a copy of DHEC's responses to all the comments it received regarding the proposed regulations.

Andrew Wachob
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